

RUSHVILLE CITY COMMON COUNCIL
TUESDAY, JULY 6, 2004
6:00 P.M.

The Rushville City Common Council met on the above date and time at 525 East 7th Street, Rushville, Indiana.

PUBLIC HEARING COMPREHENSIVE PLAN * * *

Mayor Bridges declared the public hearing open for comments. Sheehan questioned an attachment to the Comprehensive Plan. Pavey said it was merely a comparison with surrounding Cities. Fields noted that it showed that Rushville was not out of line. There were no further comments. Sheehan moved to close the public hearing. McGowan seconded the motion. Motion carried.

PUBLIC HEARING WILSON ESTATES * * *

At 6:15 p.m. Mayor Bridges declared the public hearing open for comments. Tom Montgomery asked if the City will assume responsibility for the storm sewer. Bridges said the City would assume responsibility after the land was dedicated to the City.

Dale Patterson asked if people would be allowed to build before the sewer problem was taken care of. Bridges said that was the Council's decision. Pavey said they received recommendations from Butler Fairman and they would probably do the minimum on the West pond.

Patterson said he did not think the residents would agree to form a Homeowner's Association.

Sheehan said we have 5 lots to sell and the 2 retention ponds. He said if we sell the lots then we can make improvements. The City should not ever be responsible for Wilson Estates after selling the lots. He said the Homeowner's Association would take over the maintenance of the common grounds. The City would take responsibility of the street, sewer, etc.

Fields asked if we own 7 lots can't we go ahead and form the Homeowner's Association? If we don't have the Association, where are we going to go?

Patterson asked what is there to maintain?

Pavey said the City agreed to fixing the problem even though the City is not the owner. Pavey said he did not see a problem working out loose ends the developer left behind.

Sheehan said the City had to get involved in order to get the problem fixed; therefore the City purchased the vacant lots. The City should not be liable to continue mowing the retention ponds after selling the lots. Sheehan also said the lots need to be a part of the Homeowners Association. The goal is for the Homeowners Association to have control over the property.

Dale Patterson said there is more to it than mowing the grass at the retention ponds.

Bridges said we could declare it a legal drain, but he would fight that because he did not think it was fair.

Fields said he and Byrne would volunteer to help form the Homeowners Association. Fields also asked if the City could legally deed the lots to the Homeowners Association.

Bridges said we must follow the laws as to how the lots can be sold.

Tom Montgomery said he did not see how the City could take one section and make improvements without going to other subdivisions and doing the same.

Pavey made a motion to close the public hearing. Sheehan seconded the motion. Motion carried.

At 7:00 p.m. Mayor Bridges called the meeting of the Rushville City Common Council to order with Chris Fields, Darrin McGowan, John Byrne, Brian Sheehan, and Mike Pavey answering roll call. Also present were Jan Voiles, *Rushville Republican*, and Scott Murray, WKWH. The City Attorney was not present.

MINUTES * * *

Minutes of the June 15, 2004, were presented for approval. Byrne made a motion to approve the minutes as presented. Pavey seconded the motion. Motion carried.

MAYOR'S REPORT * * *

Bridges said he had been asked to approach the City Council to consider a Roundup Grant through the Rush County Community Foundation. This is similar

- to the approach taken by Rush/Shelby Energy and other utilities Common throughout the State of Indiana. The concept is to have utility subscribers (water and sewer in our case) to round their monthly payment up to the next dollar and the money gained from the additional payment would then be put in a fund and a grant would be given in the name of the City of Rushville. This would be strictly a voluntary action by each individual utility user. They would have the ability to refuse to participate in the program when asked.
- Johnna Wright received a low-interest business loan in January 1997. Since then she has filed bankruptcy. She has a balance of \$244.00 still due to the City of Rushville. Does Council wish to make an attempt to collect the debt or write it off? Fields made a motion to write off the debt. Byrne seconded the motion. Motion carried.
- The monthly meeting of the Fiber Optics Board was held on June 29th. Items discussed were the Mayor's appointment to the board will expire on July 31st of this year. I have reappointed Paul David Smith to the board. Council's appointments are Chris Seals and Ron Shields. Their term will expire July 31, 2005 and 2006 respectively. An update was given by Greg Jarman on his wireless project. He reported that he had installed fiber at Rush Memorial Hospital and installed a 80' tower behind his residence on Foster Heights Road, which will have a 6-7 mile range when activated. He had targeted the activation date at July 4, 2004. He also reported that he has leased space at Rush Memorial Hospital to operate his business. Received a letter last week from the Fiber Board requesting \$20,000.00 be put in the 2004 budget, and an explanation of the request. The County has been asked for a similar amount. You are requested to consider the funding for 2004 during the budget hearings.
- You may be asked about a new rail siding on the CSX rail west of Rushville. CSX is in the process of installing a new rail siding starting east of 150 W to 300 W, north of the present CSX rail line. This is to accommodate an increase in train traffic, possibly a total of 5-8 trains daily, due to a rail closure in Southern Indiana. This will now be the main rail line from Indianapolis to Ohio. I have had discussion with the new rail master in Connersville, Ken Robertson. He has promised other, much needed, rail and crossing improvements in Rushville.
- I sent a copy of an opinion rendered by Attorney General's opinion on golf carts. Basically it states that golf carts do not meet the vehicular requirements of the Indiana Code or the financial responsibility laws and are not legal to operate on streets or highways. I think this basically

answers the questions that we have about the legal operation of golf carts on City streets.

CLERK-TREASURER'S REPORT * * *

Copley said she received the order from the Department of Local Government Finance regarding the request for Additional Appropriations. The DGLF approved \$135,307.00 and denied \$7,060.00. A reduction was made on the Additional Appropriation Ordinance to 402-402-320 Flatrock River to \$1,470.00 and 402-402-441 16th Street Project to \$43,750.00.

DEPARTMENT HEAD REPORTS * * *

Police – Fudge said the tower is being erected.

Fire – Clark said he received unofficial notice that he will be receiving a grant from FEMA.

CITIZEN'S CONCERNS * * *

Sheehan thanked Danny Mathews for all his work for the Relay for Life.

UNFINISHED BUSINESS * * *

Comprehensive Plan – Pavey made a motion to approve the Comprehensive Plan. Fields seconded the motion. Motion carried.

Approve Sale of Wilson Estate Lots – Fields made a motion to table the sale of the lots until the committee meets regarding the Homeowners Association. Byrne seconded the motion. Motion carried.

Booker T. Washington Center – Bill Goins gave a brief history of the building. He said the building has been in existence since 1904. It was built in 4 months. It was built to school black children. Goins said the Booker T. Association would like the City to rent out the building and use the money to maintain the building.

Marcia Crowdus said she would like to see a cornerstone stating who donated the building and the year. She also thought there should be a "wall of fame". Goins said he would donate a plaque.

Pavey made a motion to begin the process of an interlocal agreement and to form a Booker T. Washington committee. Byrne seconded the motion. Motion carried.

NEW BUSINESS * * *

Fujitsu Ten Tax Abatement – Representatives from Fujitsu Ten gave a report on what was going on with Fujitsu and asked Council to approve the CF1 and SB1. Sheehan made a motion to approve the tax abatement. McGowan seconded the motion. Motion carried.

Curb Cuts – Pavey gave Council a guideline for curb cuts and asked them to review it for a possible ordinance.

Claims – Byrne made a motion to approve the claims as presented. Sheehan seconded the motion. Motion carried.

There being no further business to come before Council, Pavey made a motion to adjourn. Byrne seconded the motion. Motion carried with the meeting adjourning at 8:20 p.m.

ROBERT M. BRIDGES, MAYOR

CHRISTOPHER S. FIELDS, MEMBER

DARRIN L. MCGOWAN, MEMBER

JOHN M. BYRNE, MEMBER

BRIAN J. SHEEHAN, MEMBER

MICHAEL P. PAVEY, MEMBER

ATTEST:

ANN L. COPLEY, CLERK-TREASURER